

anomalous condition exhibits the potential for a stage or its debris to impact the Earth or reenter the atmosphere during the mission or any future mission of similar launch vehicle capability. Also, either a launch incident or launch accident constitutes a failure.

(c) *Previous flight.* For flight analysis purposes, flight begins at a time in which a launch vehicle normally or inadvertently lifts off from a launch platform. Lift-off occurs with any motion of the launch vehicle with respect to the launch platform.

§417.225 Debris risk analysis.

A flight safety analysis must demonstrate that the risk to the public potentially exposed to inert and explosive debris hazards from any one flight of a launch vehicle satisfies the public risk criterion of §417.107(b) for debris. A debris risk analysis must account for risk to populations on land, including regions of launch vehicle flight following passage through any gate in a flight safety limit established as required by §417.217. A debris risk analysis must account for any potential casualties to the public as required by the debris thresholds and requirements of §417.107(c).

§417.227 Toxic release hazard analysis.

A flight safety analysis must establish flight commit criteria that protect the public from any hazard associated with toxic release and demonstrate compliance with the public risk criterion of §417.107(b). The analysis must account for any toxic release that will occur during the proposed flight of a launch vehicle or that would occur in the event of a flight mishap. The analysis must account for any operational constraints and emergency procedures that provide protection from toxic release. The analysis must account for all members of the public that may be exposed to the toxic release, including all members of the public on land and on any waterborne vessels, populated offshore structures, and aircraft that are not operated in direct support of the launch.

§417.229 Far-field overpressure blast effects analysis.

(a) *General.* A flight safety analysis must establish flight commit criteria that protect the public from any hazard associated with far field blast overpressure effects due to potential explosions during launch vehicle flight and demonstrate compliance with the public risk criterion of §417.107(b).

(b) *Analysis constraints.* The analysis must account for:

(1) The potential for distant focus overpressure or overpressure enhancement given current meteorological conditions and terrain characteristics;

(2) The potential for broken windows due to peak incident overpressures below 1.0 psi and related casualties;

(3) The explosive capability of the launch vehicle at impact and at altitude and potential explosions resulting from debris impacts, including the potential for mixing of liquid propellants;

(4) Characteristics of the launch vehicle flight and the surroundings that would affect the population's susceptibility to injury, such as, shelter types and time of day of the proposed launch;

(5) Characteristics of the potentially affected windows, including their size, location, orientation, glazing material, and condition; and

(6) The hazard characteristics of the potential glass shards, such as falling from upper building stories or being propelled into or out of a shelter toward potentially occupied spaces.

§417.231 Collision avoidance analysis.

(a) *General.* A flight safety analysis must include a collision avoidance analysis that establishes each launch wait in a planned launch window during which a launch operator must not initiate flight, in order to protect any manned or mannable orbiting object. A launch operator must account for uncertainties associated with launch vehicle performance and timing and ensure that any calculated launch waits incorporate all additional time periods associated with such uncertainties. A launch operator must implement any launch waits as flight commit criteria according to §417.113(b).

(b) *Orbital launch.* For an orbital launch, the analysis must establish any launch waits needed to ensure that

the launch vehicle, any jettisoned components, and its payload do not pass closer than 200 kilometers to a manned or mannable orbiting object during ascent to initial orbital insertion through at least one complete orbit.

(c) *Suborbital launch.* For a suborbital launch, the analysis must establish any launch waits needed to ensure that the launch vehicle, any jettisoned components, and any payload do not pass closer than 200 kilometers to a manned or mannable orbiting object throughout the flight.

(d) *Analysis not required.* A collision avoidance analysis is not required if the maximum altitude attainable by a launch operator's unguided suborbital launch vehicle is less than the altitude of the lowest manned or mannable orbiting object. The maximum altitude attainable must be obtained using an optimized trajectory, assuming 3-sigma maximum performance.

§417.233 Analysis for an unguided suborbital launch vehicle flown with a wind weighting safety system.

For each launch of an unguided suborbital launch vehicle flown with a wind weighting safety system, in addition to the other requirements in this subpart outlined in §417.201(c), the flight safety analysis must:

(a) Establish flight commit criteria and other launch safety rules that a launch operator must implement to control the risk to the public from potential adverse effects resulting from normal and malfunctioning flight;

(b) Establish any wind constraints under which launch may occur; and

(c) Include a wind weighting analysis that establishes the launcher azimuth and elevation settings that correct for the windcocking and wind-drift effects on the unguided suborbital launch vehicle.

Subpart D—Flight Safety System

§417.301 General.

(a) *Applicability.* This subpart applies to any flight safety system that a launch operator uses. The requirements of §417.107(a) define when a launch operator must use a flight safety system. A launch operator must en-

sure that its flight safety system satisfies all the requirements of this subpart, including the referenced appendices. Paragraph (b) of this section provides an exception to this.

(b) *Alternate flight safety system.* A flight safety system need not satisfy one or more of the requirements of this subpart for a launch if a launch operator demonstrates, in accordance with §406.3(b), that the launch achieves an equivalent level of safety as a launch that satisfies all the requirements of this part. The flight safety system must undergo analysis and testing that is comparable to that required by this part to demonstrate that the system's reliability to perform each intended function is comparable to that required by this subpart.

(c) *Functions, subsystems, and components.* When initiated in the event of a launch vehicle failure, a flight safety system must prevent any launch vehicle hazard, including any payload hazard, from reaching a populated or other protected area. A flight safety system must consist of all of the following:

(1) A flight termination system that satisfies appendices D, E, and F of this part;

(2) A command control system that satisfies §§417.303 and 417.305;

(3) Each support system required by §417.307; and

(4) The functions of any personnel who operate flight safety system hardware or software including a flight safety crew that satisfies §417.311.

(d) *Compliance.* (1) *Non-Federal launch site.* For launch from a non-Federal launch site, any flight safety system, including all components, must:

(i) Comply with a launch operator's flight safety system compliance matrix of §415.127(g) that accounts for all the design, installation, and monitoring requirements of this subpart, including the referenced appendices; and

(ii) Comply with a launch operator's testing compliance matrix of §415.129(b) that accounts for all the test requirements of this subpart, including the referenced appendices.